

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

In re the Marriage of:	)	
	)	
ROGER CONTRERAS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No.
	)	DO-2009-01390
NANCY BOURKE,	)	
	)	
Respondent.	)	
	)	

Friday, February 1, 2019  
Sierra Vista, Arizona

OFFICIAL COURT REPORTER'S TRANSCRIPT  
EVIDENTIARY HEARING  
EXCERPT FROM PROCEEDINGS  
REFERENCE TO SOCIAL MEDIA OR FACEBOOK RESTRICTIONS  
BEFORE: THE HONORABLE MICHAEL D. PETERSON, JUDGE

VAN G. HONEMAN, RDR  
Official Court Reporter  
Cochise County Superior Court  
Sierra Vista, Arizona  
AZ Certified Reporter #50335

APPEARANCES:

For the Petitioner:

DANETTE R. PAHL, Esq.

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The Respondent appeared In Pro Per

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Guardian ad Litem for the Child:

JOAN SACRAMENTO, Esq.

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1   \* \* \*            THE COURT: All right. Having read Exhibit  
2   14, now, I will not take further action on this other than  
3   the following: That neither party shall make any public  
4   posts, Facebook, NewChat, social media, internet or any  
5   other forum in connection with this case. My concern is  
6   the essence of this trial, not people want to be here, I'm  
7   fine with that, perfectly okay, there would be lots of  
8   people there, real accommodating. That wasn't a concern  
9   at all. I actually gave you that opportunity today.  
10   I want our court systems to be open because frankly,  
11   we're the last beacon of trust anybody might have in  
12   society, they want things to be open.

13                    And so I don't want to be locked in a  
14   struggle over the best interests of this child. I believe  
15   taking significant strides toward the reduction of tension  
16   and mutual understanding, and that mutual understanding  
17   I think will accrue to the best interests of this child.

18                    Any other time you might need to continue to  
19   look, I'll permit you to introduce any evidence, but the  
20   order will remain in effect because I want to move this  
21   forward.

22                    MS. PAHL: Your Honor, could you also  
23   require that she delete that post? As you are aware, this  
24   is a very small community and she can take that post down,  
25   we would request that you order that that post be taken

1 down because my client has gotten calls from colleagues  
2 about the post, currently received three calls about that  
3 post.

4 THE COURT: All right. Ms. Bourke, what  
5 I would like to do as you're going through your box is let  
6 you finish your search.

7 MS. BOURKE: I'm sorry. Yeah, I wasn't  
8 prepared to review social media --

9 THE COURT: But you posted it; right?

10 MS. BOURKE: Oh, yes. I was just looking  
11 for all of Roger's public posts.

12 THE COURT: Yeah. What I'm saying is I'll  
13 admit those, but give you an hour next time. It won't  
14 change the fact that I don't want -- the welfare of your  
15 son and the details of the case I think are inappropriate  
16 for the best interests of the child, so my -- let's say  
17 Roger has posted things that you find to be inappropriate,  
18 you're not going to post anything any more going forward  
19 and in fact, unpost things that have been posted, but  
20 I can order you to take them down. But all I'm trying to  
21 do is just to protect the boy is all I'm trying to do.  
22 I know nothing of this particular post or this Website or  
23 whatever it is. I want people to be involved in media.  
24 It's just particulars involving this case that involve a  
25 child is different if it involved --

1 MS. BOURKE: If it involved what?

2 THE COURT: A person that was assisting you,  
3 something where maybe mom seeing her child, I think would  
4 be a danger, though.

5 So I would welcome you to supplement as you  
6 see fit any posts you find to be delivered, but you want  
7 to make sure going forward we don't have a repeat of this  
8 from anyone's perspective. Do you have any questions  
9 about that?

10 MS. BOURKE: Yes. The specific order is no  
11 posts about this case?

12 THE COURT: Yes.

13 MS. BOURKE: Okay.

14 THE COURT: And that's to be construed  
15 broadly, any media, electronic or otherwise, Facebook,  
16 Internet, Snapchat, there are a lot of different forums  
17 out there and I can't do an all inclusive list, but there  
18 is Snapchat, Instagram, Facebook, internet, but construed  
19 very broadly, no posting anything publicly about the case.  
20 But I would welcome media to be here, that's fine.

21 MS. PAHL: I would also request that that  
22 apply to her going and seeking out media attention to try  
23 and have any kind of news story published as well.

24 THE COURT: All right. I'll correct that  
25 request. I understand that there may be media attention,

1 but my views are that we should not be afraid of that and  
2 should welcome it.

3 So Ms. Bourke, were there any other issues  
4 that you would want us to address today? \* \* \*

5 \* \* \* MS. PAHL: Your Honor, are you also  
6 affirming the prior order of this Court that the parties  
7 not make disparaging comments?

8 THE COURT: Yes.

9 MS. PAHL: I was making sure. \* \* \*

10

11 C E R T I F I C A T E

12

13 I, Van G. Honeman, do hereby certify that  
14 as an Official Court Reporter for the Cochise County  
15 Superior Court, I reported the foregoing proceedings to  
16 the best of my skill and ability; and that the same was  
17 transcribed by me via computer-aided transcription; and  
18 that the foregoing pages of typewritten matter are a true,  
19 correct and complete transcript of all the proceedings  
20 had as set forth in the title page hereto.

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24 VAN G. HONEMAN, RDR  
25 Official Court Reporter  
Cochise County Superior Court  
Sierra Vista, Arizona  
AZ Certified Reporter #50335